

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:24-00016

TRACEY BROWN

MEMORANDUM OPINION AND ORDER

Pending before the court is the motion of defendant's counsel, Clayton T. Harkins, to be relieved of appointment as counsel. (ECF No. 48). On August 12, 2025, the court held a hearing on that motion, a portion of which was sealed and ex parte. Any transcript of the hearing should be **SEALED** as to the ex parte portion of the hearing.


For reasons placed on the record at the hearing, the court **GRANTED** the motion to be relieved as counsel. Having previously found the defendant to be indigent and entitled to appointment of counsel under the Criminal Justice Act, the court **APPOINTS** J. Miles Morgan as counsel for the defendant. Given the posture of the case and the pending motion to withdraw defendant's guilty plea, a status conference was **SCHEDULED** for September 9, 2025, at 3:00 p.m., in Charleston.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to Mr. Morgan and Mr. Harkins, to other counsel of record, to the United States Marshal for the Southern

District of West Virginia, to the Probation Office of this court, and to the CJA Supervising Attorney.

IT IS SO ORDERED this 13th day of August, 2025.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge